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HUMAN RESOURCES MANAGEMENT

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Joint Inspection Unit entitled "Inspection of the application of United Nations recruitment, placement and promotion policies (Part II. Placement and promotions)" (JIU/REP/96/6).

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ANNEX

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INSPECTION OF THE APPLICATION OF UNITED NATIONS RECRUITMENT, PLACEMENT, AND PROMOTION POLICIES

Part. II - Placement and Promotions

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ACRONYMS

ACABQ	Advisory Committee on Administrative and Budgetary Questions
APB	Appointment and Promotion Board
APC	Appointment and Promotion Committee
APP	Appointment and Promotion Panel
ASG	Assistant Secretary-General
CPC	Committee for Programme and Coordination
DAM	Department for Administration and Management
DDSMS	Department for Development Support and Management Services
DESIPA	Department for Economic and Social Information and Policy Analysis
DHA	Department of Humanitarian Affairs
DPA	Department of Political Affaires
DPCSD	Department for Policy Coordination and Sustainable Development
DPI	Department of Public Information
DPKO	Department of Peace-keeping Operations
ECE	United Nations Economic Commission for Europe
ECA	United Nations Economic Commission for Africa
ECLAC	United Nations Economic Commission for Latin America and the Caribbean
EOSG	Executive Office of the Secretary-General
ESCAP	Economic and Social Commission for Asia and the Pacific
ESCWA	Economic and Social Commission for Western Asia
HRM	Human Resources Management
HRMS	Human Resources Management Strategy
ICSC	International Civil Service Commission
JAB	Joint Appeals Board
JIU	Joint Inspection Unit
OCSS	Office of Conference and Support Services
OHRM	Office of Human Resources Management
OIOS	Office of Internal Oversight Services
OLA	Office of Legal Affairs
OPS	Office of Personnel Services
SMCC	Staff-Management Coordinating Council
SPA	Special Post Allowance
UNAT	United Nations Administrative Tribunal
UNDCP	United Nations Drug Control Programme
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNITAR	United Nations Institute for Training and Research
UNJSPF	United Nations Joint Staff Pension Fund
UNPA	United Nations Postal Administration
UNU	United Nations University
USG	Under-Secretary-General

EXECUTIVE SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Some may argue that 1996 is hardly the appropriate time to discuss in the United Nations the issues of placement and promotion of its staff. Indeed, faced with the most severe financial crisis in its history, the Organization is going through a downsizing process, with 1,000 posts becoming vacant by the end of the year. However, the Inspectors consider examination of these issues timely since they earnestly believe that a modern, fair, and transparent personnel policy, of which placement and promotion is an important part, and its strict implementation are crucial determinants of effective future performance of the United Nations.

The Independent Working Group on the Future of the United Nations wrote recently in its report "... ritual denunciation of an oversized bureaucracy and sinecure positions will not go away until there is a radical overhaul of the Secretariat's organization, as well as of its recruitment, promotion and transfer procedures. Reforming the United Nations personnel system can be done only through the will of Member States themselves. Their reaffirmation of the Charter principle that recruitment and promotion be based upon "securing the highest standards of efficiency, competence, and integrity would be a starting point for renewal process...".[1]

Having analysed the functioning of the current placement and promotion system, the Inspectors observe that it suffers from most of the flaws and deficiencies which were characteristic of the previous systems. In a situation when promotion possibilities are already limited, these are further aggravated by circumvention of recruitment policies through the use of short-term appointments at the entry and higher levels followed by the so-called "regularization" of temporary staff. Despite criticism by Member States and the Joint Inspection Unit (JIU), the practice of placing, on a temporary basis, some staff members against vacant posts which level is higher than their own grade for long periods continues to persist and damage the careers of other eligible staff. In quite a number of cases, placement on higher-level posts has been made without announcing vacancies internally, which is at variance with United Nations policy.

The current recruitment, placement and promotion system still lacks objective criteria. Moreover, to push ahead to gender parity by the year 2000, the Secretary-General has introduced a number of measures, including different seniority criteria for promotion of women, which are discriminatory towards male candidates. The Assistant Secretary-General for human resources management went even further and, in January 1995, practically declared temporary suspension of recruitment of men. In their recent decisions, the United Nations Administrative Tribunal and the Court of Justice of the European Communities ruled against any automatic preference to be given in recruitment, placement and promotion cases, based on gender. The Inspectors share the UNAT's point of view that the Charter fundamental principle of "securing the highest standards of efficiency, competence, and integrity" may not be diluted by a desire, however commendable, to overcome past problems. Another deficiency of the current promotion system is the absence of criteria for accelerated promotion.

As a result, there are no systematic means for ensuring that equally qualified people fill the same or comparable posts within the various occupational groups. And since there exist no clear across-the-board criteria for advancement in the professional grades, promotions may be granted either on a rigorous or open-handed basis, which depends not only on the individual supervisor but also on the presence or absence of powerful patrons elsewhere, both in and outside the Organization.

RECOMMENDATION I

The Secretary-General should take urgent measures to review and improve all personnel policies and procedures, as required by paragraph 3 of General Assembly resolution 47/226. In the course of this exercise, the Secretary-General, in particular, should :

(a) emphasize the authority of OHRM to enforce recruitment, placement and promotion policies throughout the Secretariat;

(b) ban the practices of (i) granting temporary appointments at the P-2 and P-3 levels for periods longer than three months (if they are not related to replacement of staff serving on missions) and (ii) extending or renewing these temporary appointments over the three-months period;

(c) ensure strict implementation of the policy that entry-level appointments are made exclusively through competitive examinations and through G to P promotion;

(d) forbid the so-called "regularization" of temporary contracts;

(e) ban the practice of placing staff members on vacant posts which are at a higher level for more than three months (while making exception only for those who replace the staff serving on missions), and consider staff members placed on these posts for longer periods as non-eligible for promotion against them;

(f) cancel all provisions giving automatic preferences either in recruitment or placement or promotion, based on gender, as contradicting Articles 8 and 101.3 of the Charter and Staff Regulation 4.2;

(g) ensure strict application of the requirements concerning education standards in recruitment for posts in the Professional category; and

(h) introduce specific criteria for accelerated promotion.

In its many resolutions, the General Assembly emphasized that the Organization should have a comprehensive career development system, of which promotion should be an integral part. Over the last 18 years, the Secretaries-General repeatedly re-affirmed their commitment to career development as an "indispensable strategy" for human resources management. In his November speech (1992) to the Fifth Committee, the Secretary-General called for the rapid implementation of a comprehensive career development system. Such a system had been devised with the aid of a panel of outside consultants and a working group of the Staff-Management Co-ordinating Committee[2]. In 1994, the USG for Administration and Management stressed the obligation of an effective organization "to help all staff to climb the career ladder through training, management and counselling, and through their own willingness to develop skills".[3]

To date, however, such system is yet to be developed. In its recent report, JIU concluded that "career development" has to be considered one of the most disappointing administrative policy efforts in the United Nations history[4]. The Inspectors were surprised that the very concept of it has almost disappeared, as evidenced by absence of any mention of career development in the proposed medium-term plan 1998-2001. It will be recalled that, in its recent report[5], the Consultative Committee on Administrative Questions (CCAQ) cited insufficient career opportunities as a major factor of resignations or non-acceptance of contract renewal by the United Nations staff. In this context, voluntary departures of young talented staff members are particularly disturbing.

RECOMMENDATION II

The Secretary-General should explain to the General Assembly why a career development system has neither been put in place nor included in the proposed medium- term plan. The Secretary-General should also inform the General Assembly on what policies, staffing, and programmes will replace a comprehensive career development system, with time-limited objectives for achieving these actions.

Other deficiencies of the current system may be summarized as follows :

(a) it ignores and does not encourage mobility, and this despite the statements to the effect that mobility as a factor is increasingly taken into account;

(b) its appointment and promotion bodies for the professional service are not composed along occupational lines, which sometimes makes it difficult for them to appraise a candidate's technical proficiency;

(c) it lacks consultative / conciliatory or resolution procedures to deal with cases where the field Appointment and Promotion Committees, the Appointment and Promotion Board, and/or programme managers made conflicting recommendations with regard to promotion.

Finally, it is not clear whether the mechanism requested by resolution 48/218 to ensure "that programme managers are accountable for the effective management of the personnel and financial resources allocated to them"[6] has been functioning. It may be observed, for instance, that both the number of placement - and promotion-related grievances and the proportion of decisions by the internal justice bodies in appellants' favour are high. To date, it is the Organization, and not respective managers, who is paying the price, including financial compensation, for failure to follow the relevant policy decisions. The Inspectors note meaningful progress in training activities, especially in those related to management of human resources and exercising supervisory functions. Their importance for creating the environment of greater responsibility and introducing elements of performance-based culture can hardly be overestimated. However, there has to be a systematic programme of action to ensure that programme managers play their critical leadership role in developing new management culture and transparency called for by the above resolution.

RECOMMENDATION III

Pursuant to the requirement contained in General Assembly resolution 48/218 (para. 5 (b), Part I (E)), the Secretary-General should issue a specific guidance to clearly establish responsibility and accountability of programme managers for proper use of human resources, as well as sanctions for non-performance. These sanctions should include reimbursement, in accordance with Staff Rule 112.3, for any financial loss suffered by the United Nations as a result of gross negligence, such as improper motivation, willful violation, or reckless disregard of Staff Regulations, Staff Rules, and established policies regulating recruitment, placement and promotion.

I. INTRODUCTION

1. The United Nations personnel management system has evolved over the years by adding new bits and pieces without reforming the conceptual framework. It had been long considered as a patchwork management system and severely criticized as poorly administered, very bureaucratic, and costly. It was also reproached with inconsistent application of rules, flawed and outdated personnel procedures and policies; poor and slow execution of personnel actions. Quite recently, the United Nations Secretariat's management practices were considered at least ten years behind those of civil services in some countries.[7]

2. However, the need in reforming the United Nations personnel function was realized long time ago. Suffice it to refer in this respect to the report of the "Group of 18"[8]. Later, Member States increasingly called for reorganization and revitalization of the Secretariat, and especially in early 1992 when two new factors entered the equation: the continuing financial crisis and the radical change in the nature and scope of the Organization's activities. In these circumstances, the General Assembly, in its resolution 47/226, in particular, urged the Secretary-General to review and improve, where necessary, all personnel policies and procedures with a view to making them more simple, transparent and relevant to the new demands placed upon the Secretariat, while promoting the full development of staff potential.[9]

3. More recently, the pressure for reform increased even further due to the fact that quite a number of Member States were in particular moving toward: reducing civil services; increased responsibilities with less resources; setting up leaner structures; increased focus on people management and training; devolution of responsibilities to managers; improved accountability and management reporting systems. Approval of "A strategy for the management of human resources of the Organization"[10] (HRMS) presented by the Secretary-General to the forty - ninth session of the General Assembly was a good step to promote similar initiatives in the Organization.

4. The HRMS is ambitious and designed to replace a culture of work that tended to stifle initiative, reward mediocrity and tolerate inefficiency with one in which the staff is empowered to do the work of this Organization and held accountable for performance. This implies many changes, in particular, hiring the best, promoting them in accordance with their performance, providing incentives for achievement, setting clear standards and holding people responsible for meeting them.

5. The challenge, however, as always, lies in implementation. If successful, it would imply that the Organization is capable of meeting the challenges of the twenty - first century, both organizationally and politically[11]. Currently, however, reform implementation is hampered by the unprecedented financial crisis and the Secretariat's unstable situation which it has created. On the other hand, more progress could have been made in implementing HRMS even within the current financial constraints. It, in particular, concerns putting in place a long-promised integrated career system. It will be recalled that the concept of career service is central to the notion of an independent, competent, politically neutral international civil service [12]. Greater attention needed to be given to other forms of staff motivation. As the Secretary-General recently stated, a good personnel policy requires a clear and consistent development and promotion scheme for all staff, as well as

appropriate financial incentives. It is particularly important because of the changing demands on the Organization, the restructuring of the Secretariat, and consequent uncertainty among staff regarding promotion opportunities.

6. In 1995, the Joint Inspection Unit issued Part I of the present report dealing with recruitment issues [13]. It was considered by the forty-ninth session of the General Assembly which, by its decision 49/476 of 31 March 1995[14], approved the recommendations contained therein. Part II of the report is devoted to the problems related to placement and promotion in the United Nations Secretariat.

7. In the present report, the Inspectors:

(a) review the United Nations policy in the area of placement and promotion (chapter II);

(b) analyse the features of the systems and programmes developed in the course of the last twenty years to put this policy into practice (chapter III);

(c) examine the functioning of the current system of placement and promotion (chapter IV) and;

(d) analyse some legal aspects of decisions related to placement and promotion and the issue of responsibility and accountability of programme managers in this regard (chapter V).

8. Within the framework of the present report, they, inter alia, raise the following questions: What's wrong with the current system of placement and promotion? To what extent are placements and promotions tied to merit? Is there a way that the promotion process can be redesigned to better reward performance? How closed or open is decision-making related to placement and promotion? What changes in personnel policies/practices are practical/desirable? Can procedures for placement and promotion and the functioning of joint appointment and promotion bodies be improved? Can programme managers be given greater flexibility? Can the personnel appeals process be streamlined? How to make programme managers more responsible and accountable for their decisions related to placement and promotion?

9. The Inspectors hope that the recommendations formulated in the present report will be as useful as those presented by them with regard to recruitment. They are thankful to all those who contributed to the present report.

II. UNITED NATIONS PROMOTION POLICY

A. Objectives and policies

10. The promotion policy is a very important part of the Organization's overall personnel policy. Its main objective is to secure the highest standards of efficiency, competence and integrity of staff at all levels in accordance with article 101, paragraph 3, of the Charter of the United Nations. Promotion policy is therefore designed to assure the selection of the staff members who deserve the confidence of the Organization and its executive head.

11. Promotion, as a major component of career development, is a systematic approach contributing to the efficient and effective utilization of human resources in which the personal (work-related) development needs of the individual and the needs of the organization to develop its personnel (work force) are identified and mutually beneficial strategies leading to the maximum possible fulfilment of these needs are designed and implemented.[15] Promotion is also a formal way of showing recognition for staff members' contribution to the goals of the Organization and to their potential for undertaking higher-level responsibilities. It is therefore a tool for motivation which could contribute towards maintaining or increasing the productivity of staff members.

12. For promotion to have a positive impact on other components of career development and on staff morale, the policies and procedures for promotion and other motivators should be fair and transparent and should be applied with consistency and uniformity throughout the Organization.[16] The Inspectors observe that the current promotion policy as set forth in Staff Regulations and Staff Rules is in conformity with this principle. Thus, regulation 4.2 which provides that "The paramount consideration in the appointment, transfer or promotion (*emphasis added*) of the staff shall be the necessity for securing the highest standards of efficiency, competence and integrity"[17] ensures that all officials have equal opportunities for promotion.

13. While filling vacancies, it is the policy of the Organization to normally give preference, where qualifications are equal, to staff members already in the Secretariat and staff members in other international organizations. In this regard, Regulation 4.4. stipulates that "Subject to the provisions of Article 101, paragraph 3, of the Charter, and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and experience of persons already in the service of the United Nations."[18] In the Inspectors' view, this is probably the area where the most delicate balance has to be made.

14. The United Nations promotion policy has been significantly influenced by ICSC and JIU recommendations as well as by proposals of the "Group of 18." In this regard, it may be mentioned, for example, that the vast majority of staff members (about two-thirds) are now promoted within their occupational groups in accordance with JIU recommendations. Assessment of staff performance through utilization of the recently JIU-recommended performance appraisal system (PAS) is expected to play a decisive role in future placement and promotion decisions.

15. ICSC's contribution is mostly related to criteria for promotion. As far back as in 1982, ICSC expressed its belief that fairness in the promotion process implies fairness in the allocation of higher level posts to staff[19]. Accordingly, ICSC identified three basic approaches enabling staff to advance to a higher level of responsibility: (a) open competition for vacancies; (b) selection from a register of promotable staff; (c) annual review of comparative merit and seniority. Further, in 1984, the Commission made more specific recommendations to that effect[20]. In 1986, it was the "Group of 18" experts who called for "strict and clear criteria...for the promotion of staff at all levels", including a review of the functions and composition of appointment and promotion bodies to secure "fairness and objectivity" in the management of these two functions.[21]

16. Contrary to the practice of promotion "in-post" known in certain national administrations, the United Nations uses the system whereby a staff member can be promoted only against vacant posts. However, a staff member may be considered for promotion to a higher level if he/she already occupies a post at the higher level and is successfully carrying out functions of the post. Temporary placing a staff member on a post higher than the level of his or her grade is considered as disadvantageous to other candidates eligible for promotion, and as such is being criticized by Member States and staff.

17. The Organization does not grant "personal promotions". In 1982, ICSC opined that "personal promotions" may be in the interest of organizations of the United Nations system to recognize exceptional situations[22]. In ICSC's view, exceptional situations are those, whereby the personal value of certain staff members in the organization exceeds the value of the job they performed and where specific conditions prevail.[23] In 1993, the Commission reaffirmed this position. However most organizations of the United Nations system did not accept the concept of personal promotions.

18. The Organization, generally, does not practice recruitment grade. In other words, it is not the policy of the Organization to have staff members recruited at a grade lower than the grade of the post and to promote them after some time. Neither does the Organization permit any discrimination in promotion based on age. It is obvious, however, that the average age on recruitment influences the age reached by staff at the time of later promotion. In addition to merit and competence, the Organization, while promoting its staff, takes into account the normal seniority or the minimum time in grade as the third major element and eligibility factor.

B. Factors affecting promotion

(a) Recruitment

19. External recruitment has, over the years, tended to limit advancement prospects of staff members. At levels other than entry levels, it is made following specific requests of substantive departments, who often argue that in-house candidates do not possess the necessary skills and knowledge required. This argument was often valid because the Secretariat did not have adequate training resources to keep staff expertise and skills up-to-date.

20. While some recruitment would always be needed to provide external expertise at other than entry levels, it is essential that, in general, the recruitment policy and procedures support and facilitate career development of staff. This would be served by a selection process that emphasizes recruitment at the P-2 or P-3 level and limits recruitment at the higher levels to a minimum. This policy would provide staff members with better career advancement opportunities. However, it must be supported by other components of career development, particularly training, so that staff steadily acquire the necessary skills and ability to move up the ranks. The Inspectors observe that, recently, in-house training possibilities of the Organization have somewhat improved.

21. Recruitment is currently the source of some dissatisfaction. Temporary recruitment without any sort of examination of candidates and subsequent "regularization" of holders of short-term appointments has already been seriously criticized by the Inspectors [24]and by Member States. Nevertheless this malign practice continues to persist and as such: (a) violates recruitment policy through competitive examinations and (b) further reduces already limited possibilities for promotion of both Professional staff and General Service staff through G-to-P examinations.

22. In his memorandum dated 1 May 1995 to heads of departments and offices, the ASG for HRM stated that "OHRM tends to believe widespread claims that standards and General Assembly mandated entry-level opportunities are being undermined by "back-door" and short-term hiring without benefit of examination at any stage; and managers feel that OHRM interferes in what they believe they know best". He also emphasized that recruitment, generally, and at the entry level, specifically, must be subject to common standards and practices throughout the global Secretariat and that all programme managers "need to be corporately consistent and avoid in as much as possible any perception, or reality of, special deals, favouritism, parochialism, nepotism, etc..."

23. The Inspectors believe that, at present, there no reasons to grant short-term appointments for more than three months, if they are not related to replacement of staff serving on missions. Indeed, the OHRM planning capability has been recently enhanced and the new recruitment process, which is expected to be in place from September 1996 in all duty stations, would allow to ensure internal recruitment in 10 weeks and external recruitment in 13 weeks[25]. Every opportunity should be given to the candidates who have successfully passed competitive examinations and are awaiting appointment. At present, the total number of those exceeds one hundred. Short-term appointment for posts higher than those of the entry level neither should be an obstacle to normal competitive recruitment for these posts. The Inspectors recommend to ban the so-called "regularization" of temporary appointments and sanction those found responsible for using this practice.

24. In the Inspectors view, OHRM as the guardian of the Secretary- General's authority with regard to human resources should have an effective authority to enforce its actions and policies when they are challenged by other areas of United Nations management. The Inspectors consider that a specific Secretary-General's administrative instruction is badly needed to deal with the above mentioned issues.

25. Obviously, to have on board the best staff, it is essential to recruit candidates with required academic qualifications. The current rule is that only those with advanced university degrees can be recruited for professional posts. Advanced university education provides graduates with systematic scientific knowledge and expertise in a specific field. It also allows a graduate to quickly raise his or her level of professional knowledge through

training and retraining as the interests of the Organization may require. However, recently these academic education requirements have been increasingly ignored. Thus, advanced university degree requirement has been circumvented by presenting sometimes a vague "package" of academic training (e.g., courses of short duration) as the equivalent of an advanced university education. In the Inspectors' view, this erosion of academic requirements serves neither short-term nor long-term interests of the Organization.

26. The Inspectors consider that academic education requirements should be strictly adhered to in recruitment for professional positions. Candidates for these positions should provide complete and specific information about the universities they attended, including their full addresses; the degrees obtained; the dates of attendance and of graduation; the grades and honours received; field of concentration, and any training courses, including their duration. This information should be spot-checked, on a sampling basis, to reduce any instances of misrepresentation.

(b) Reclassification of posts

27. There is a clear linkage between promotion and the classified level of the post. Job classification, by the application of an objective and tested standards, serves as the means by which the level of responsibility of each post is evaluated. Reclassification of posts provides one avenue for creating opportunities for promotion. As long as reclassification is based on the application of the accepted standards, this is a legitimate exercise that is necessary for the Organization to adapt to changing requirements of its programmes, of advances in technology and science, and of changing legal, social and financial environments.

28. In practice, however, job classification process has become a controversial instrument. Due to lack of flexibility in the current promotion system and impossibility to promote meritorious staff in-post, programme managers are tempted to up-grade the level of the post and thus to advance incumbents although the relevant functions have not changed. This inevitably leads to grade creep and distorts post structure of the departments and offices concerned. To avoid this negative phenomenon, there should be a rule, similar to that applied in UNDP, for example, that managers' requests for job classification reviews should not be submitted in conjunction with the promotion exercise. Moreover, reclassification of a post, should not be an isolated but complex action, carried out taking into account all other functions in the unit concerned. Accordingly, reclassification will have consequences for other posts in the unit and can result in their re-grading upward or downward.

29. It has already been suggested to reform the present system and classification procedures along the following lines:

(a) to place the main responsibility for proper classification of posts on managers;

(b) to replace the present practice of preparing individual job descriptions for each post and the connected classification analysis by a benchmark method;

(c) to limit the role of the job classification officer to monitoring the classification results through audits; and

(d) to standardize job descriptions to avoid favouritism and abuse[28].

In 1992, the Secretary-General submitted to the General Assembly a note on procedures and norms for the creation, suppression, reclassification, conversion and redeployment of posts[27]. At its thirty-second session, the Committee for Programme and Coordination (CPC) took note of this document but expressed disappointment concerning the lack of substance therein.[28]

(c) Mobility

30. The United Nations does not use promotion as a reward to mobility, but mobility is a factor that may enhance the chances for promotion. A staff mobility system is designed to facilitate movement of staff within occupational groups, between occupational groups or between duty stations as appropriate in order to expose them to the wide range of conditions and circumstances in which the Organization operates. It also aims at broadening their experience so as perform effectively in their present and future assignments and filling vacancies in challenging locations in order to discharge the various mandates of the United Nations. The Secretary-General considers that greater mobility will not only better serve the Organization but also would benefit individual staff in terms of their careers, experience-building and job satisfaction.[29] Mobility also fosters commitment to the ideals and goals of the United Nations among staff members as they acquire a wider perspective of its goals through serving in different functions in a variety of posts and duty stations.

C. Promotion mechanisms

31. It will be recalled that it is the Secretary-General's prerogative to promote the United Nations Staff. However, in exercising this function, the Secretary-General is assisted by a number of appointment and promotion (AP) bodies, as provided for by rule 104.14 (a)(i) of the Staff Regulations and Staff Rules[30]. Exception is made for those specifically recruited for service with UNDP, UNEP, UNICEF, UNITAR or UNU. The heads of these organs may establish boards whose composition and functions are generally comparable to those of the Appointment and Promotion Board (APB).

32. APB's function is to give advice on the appointment, promotion and review of staff in the General Service and related categories and in the Professional category, and on the appointment and review of staff at the Principal Officer level, except those referred to in the above paragraph. APB is assisted by the Appointment and Promotion Committees (APCs) at Headquarters and other designated offices. APCs consider appointment and promotion issues of officials up to P-4 level and make their relevant recommendations to APB. Subsidiary groups (e.g. Appointment and Promotion panels - APP), as necessary, are appointed in the same manner by the Secretary-General at Headquarters and in other designated offices, with functions comparable to those of the APB and APCs. The staff regulation provides that for any particular review where promotion is envisaged, the rank of members or alternates serving on the committees or subsidiary panels shall not be below the level to which promotion is contemplated.

33. The experience of AP bodies confirms utility of their functioning in the far-from-perfect system of appointment and promotion, where checks and balances element should be necessarily present. During the period 1 October 1994-31 March 1996, APB considered 478 cases. Out of 478 recommendations made, 2 (both concerning promotion in DAM) were overruled by the Secretary-General. In turn, during the above period, APB received from APCs 311 recommendations for filling vacancies. It overruled 12 of the 187 recommendations of the APC/Headquarters and 3 of the 124 recommendations of the APCs

at the offices away from the Headquarters. In this connection, the local APCs referred to the cases when their recommendations were overruled by APB without explanation. The Inspectors believe that it would be advisable to develop consultative/conciliatory or resolution procedures to deal with cases involving conflicting recommendations by the local APCs, APB, and/or programme managers with regard to placement and promotion.

34. During the interviews held with the APB members, the Inspectors were informed of undue pressure exerted on APB by some United Nations high officials who were pushing their preferred candidates. In one case, APB turned down a department's candidate three times because another candidate, in APB's view, was more competent for the job. APB finally arranged teleconferencing with the department's head and ceded to his wishes because he insisted that the candidate was well-qualified to fill future functions as his special assistant than those (much different functions) which were specified in the vacancy announcement. In another case, APB lost a lot of time and energy because the USG and an ASG of the same department were each pushing their own candidate for promotion to the same vacant post. In the third case, a programme manager had to agree with APB that his preferred candidate was less qualified for the job than the other candidate. However in order to obtain APB's recommendation for his preferred candidate, he finally arranged to find a post against which the second candidate could be promoted. With regard to the above, the Inspectors consider it important: (a) to safeguard independence of APB and APCs as collegial bodies, and (b) for APB to have, as in the past, an official at the ASG or USG level as its chairman.

35. In addition to the above deficiencies of the functioning of AP bodies, the Inspectors note that these, being not composed along occupational lines, are not always in a position to adequately appraise a candidate's technical proficiency. The quality of submissions made by departments and offices is often poor and in some cases unreliable. Neither up-dated staffing tables nor organigrammes of respective departments and offices are not provided to AP bodies, which it makes difficult for them to determine how their decisions will affect the personnel structure of these entities and career prospects of other staff members. The Inspectors note, however, accurate submissions prepared by DESIPA.

36. During the interviews held by the Inspectors, the opinion was expressed that OHRM:

(a) could play more active role throughout the selection process, ensuring that departments abide by the established rules and procedures;

(b) should serve as a filter and final check on the process;

(c) should take the necessary policy decisions on the respective cases and not expect the AP bodies to take decisions on issues which are essentially outside their purview; and

(d) should also ensure that all necessary information submitted to AP bodies is complete (it should include staffing tables and organigrammes) and that the ex-officio is fully briefed before presenting the case to the AP bodies.

APB members also suggested that the OHRM head could more often attend its sessions. As to APCs, in their view, ex officio should be at the P-5 level and above and be capable, in particular, of providing advice on the relevant policies and procedures.

III. UNITED NATIONS PROMOTION SYSTEMS AND PROGRAMMES

A. Annual review promotion system

37. Provided for by Staff Rule 104.14(f) (iii), the annual review promotion system existed from 1958 through December 1986[31]. At the heart of this system was an annual grade-by-grade review based on recommendations of heads of departments and on comparative analysis of the merits of the staff members recommended and of those staff not recommended but eligible for promotion. In total, 86 such reviews were undertaken from 1958 through December 1986, when application of rule 104.14(f) was suspended (see para. 42 below).

38. Availability of a budgetary post was a precondition for promotion. In addition, the post that the staff member was recommended against had to be classified at the level to which promotion was contemplated. A minimum number of years of service in grade established by the Secretary-General in accordance with Staff Rule 104.14(f)(iii) served as eligibility factor for consideration for promotion. For normal promotion to P-5 level and above, this period was 5 years, and 3 years were required for promotion to all other levels and categories. For accelerated promotion, these periods were 3 and 2 years, respectively. As a special measure to promote women, in 1986, it was decided to use flexibility in applying rules on seniority, both for minimum normal seniority and for seniority in connection with accelerated promotion.

39. To be promoted a staff member had to demonstrate efficiency, integrity and competence plus the ability to perform at the higher level. Training acquired before and after joining the United Nations was also a consideration. With regard to language proficiency, promotion was subject to knowledge of a second official language, bearing in mind the situation of staff members whose mother tongue was not an official language. For professionals, mobility between Headquarters and the field offices had to be mentioned in all recommendations for promotion.

40. As to procedures, intra-departmental consultations were held as the first stage, which involved representatives of the substantive department concerned, of the Office of Personnel Services (OPS) and a staff member nominated by the staff. The departmental panel made a comparative analysis of all eligible staff member at a specific level based on the recommendations of the supervisors and the personnel record, and submitted their recommendations to the head of the Department, who having reviewed the panel's recommendations forwarded his/her recommendations to ASG/OPS for transmission to the AP bodies. These could either endorse or reject departmental recommendations. They could put forward the name of a staff member not recommended by the department in place of the staff member recommended by that department. AP bodies advised the respective department in case they disagreed with its recommendations. The department, in turn, could reiterate its position before these bodies. Final recommendations of AP bodies were submitted to the Secretary-General for approval. The review carried out by staff-management review bodies, lead to the establishment of promotion registers.

41. Under the recourse procedure staff members could bring new relevant information on their case to the attention of the appointment and promotion bodies concerned. As a result, additional promotion registers were normally issued with the names of those staff members whose recourse was felt to have merit.

B. Promotion under the vacancy management and staff redeployment programme

42. In December 1986, the Secretary-General suspended application of staff rule 104.14(f) and replaced the annual review promotion system by the vacancy management and staff redeployment programme. It was introduced following retrenchment exercise, recommended by the Group of 18, and involved the abolishment of publication of promotion register and significant reduction of promotions. The method used was a system of redeployment for staff in the General Service (within the same duty station) and in the Professional category and above. It was recognized, however, that in the case of very specialized staff, redeployment and rotation might not be possible.

43. In his bulletin which introduced the programme[32], the Secretary-General observed that the Organization's difficult financial situation, left no alternative but to maintain economy measures, including freeze in recruitment and a six-month delay in the implementation of 1987 promotions. The second reason invoked therein was that the then existent and projected vacancies "were not distributed in a rational and efficient manner on the basis of programme priorities but occurred randomly as a result of unplanned personnel movements."[33] He also observed that the programme was established for the duration of emergency situation and was supposed to be reviewed in the light of the experience gained.

44. The criteria for promotion were similar to those used for the annual review (see para. 36 above).The same precondition for promotion was applied. As to eligibility, the following minimum periods of service in grade were established: from P-1 to P-2 - two years; from P-2 to P-3 and from P-3 to P-4 - three years, from P-4 to P-5 and from P-5 to D-1 -five years. For promotion in the General Service category, the minimum periods were as follows: from G-3 to G-4 - two years, from G-4 to G-5 - three years, from G-5 to G-6 - four years, from G-6 to G-7 - five years.

45. All qualified staff members were entitled to apply. If applying, they were requested to provide full details concerning their skills and experience and to explain why they believed they were qualified for the post(s) concerned. The OPS was to pre-screen all the candidates mentioned above and forward to a Redeployment Committee (RC) a list of eligible candidates who appeared to meet the requirements of each post advertised together with relevant comments of the departments or offices. It was also to forward the list of the other candidates who did not appear qualified. The functions of RC were entrusted to the APB at Headquarters for posts in the Professional category and above and to the local APCs or Panels for posts in the General Service and related categories.

46. The Redeployment Committee was to consider each candidate's personnel data, professional qualifications and skills, experience relevant to the vacancy, knowledge of required language if applicable, the mobility factor and the vacancy situation in the candidate's department or office. On the basis of this review, the Committee recommended a short list of staff members determined to be the best qualified for each vacancy which was then communicated to the heads of department or office concerned, who were to make the final selection.

47. Under the recourse procedure established for Professionals, staff members were notified whether or not they had been short-listed and they were entitled to submit a recourse letter to the relevant appointment and promotion body. If that body felt that there was merit in the case, it could add the name of the staff member on the short-list.

48. The most important feature of the vacancy management and staff redeployment programme was that it introduced the principle of open job-bidding for vacancies. If strictly and fairly applied, it offered both the Organization and the staff at large several benefits. The "old" annual promotion review of all staff relied heavily on seniority and was not clearly linked to the recommendation of the supervisor and head of the department concerned. The field staff supported this system because it offered them rotation possibilities to other duty stations. The Headquarters staff were much less enthusiastic about the vacancy management programme.

49. In December 1991, however, the Secretary-General terminated the vacancy management and staff redeployment programme because a UNAT judgement dated 1 November 1991 found that ,since the emergency was over, the Secretary-General had to end the temporary suspension of staff rule 104.14 or comply with article XII of the Staff Regulations within a reasonable period[34].The Tribunal considered that such a reasonable period would end three months after the date of the notification of the above judgement.

C. Placement and promotion system

(a) 1991 process

50. In his bulletin of 23 December 1991, the Secretary-General announced the end of the recruitment freeze and the application of the vacancy management system. Consequently, he decided to reinstate a comprehensive grade-by-grade review for promotion as provided for by Staff Rule 104.14, effective 1 January 1992.[35] In addition, the Secretary-General established a new placement procedure and formalized the role of departmental panels.

51. In accordance with the new placement procedure, heads of departments and offices could reassign staff within their departments and offices to vacant posts at the same level. With regard to vacancies arising after such placement, OHRM had to publish a quarterly list Secretariat-wide. Interested staff members could apply by addressing their memorandum to OHRM within three weeks following publication of the list. To fill a vacancy with an applicant from outside the department or office who is at the level of the post concerned, the head of a department or office had to make a recommendation to that effect to ASG/OHRM.

52. Applications received for posts at one level higher than the level of the applicant were reviewed as part of the promotion process. However, the head of department or office could assign a staff member higher functions on a temporary basis. Such a staff member could receive a Special Post Allowance (SPA). In the case of posts which involved significant functions in financial management, personnel management, and general administration, prior consultation with and final approval by the officials indicated in ST/SGB/213/Rev. 1 were required before any placement in these posts could be affected.

53. With regard to promotion, preconditions and criteria applied were the same as in the annual promotion review. The major difference between this programme and the previous annual review system is that the role of programme managers had been strengthened. If in the previous system the department could only state its position before the relevant AP body in case that body disagreed with departmental recommendations and was not allowed to intervene after its recommendations had been made. Under the new system, the programme managers could send their comments on the Board's recommendations to the

Secretary-General before the decision is made on the register. Other differences with annual promotion review were that: (a) the number of staff members on the register could not exceed the number of current and foreseen vacancies at the higher level; and (b) implementation of promotion was prospective, i.e. it was effective the first of the month following the publication of the register.

54. The above-described placement and promotion system invoked serious criticism even from some senior United Nations officials. A former Under-Secretary-General observed, in particular, that promotions were based more on cronyism than merit and that promotion procedures were so complicated that they favoured, and could be abused by, those who know how to work the system. The result, in his view, was that seniority and politics often played a decisive role[36]. ACC criticised the system as having "too few grades to accommodate the range of staff employed at the professional and higher levels and ensure adequate career progression". But the general view was that there had been a lack or no correlation at all between job performance and promotion.

55. Clearly some of the above criticism are more disturbing than others. The over-emphasis on seniority is a serious criticism, especially in the light of contemporary attitudes to personnel management. However, with encouragement from the Assembly, a serious effort has been made to introduce improved performance evaluation and greater recognition of merit. It may therefore be expected that this weakness will be corrected, at least in part.

(b) 1993 revisions

56. The Secretary-General has tried to address all above criticism and where possible to suggest a way forward. By his bulletin of 15 November 1993 (ST/SGB/267)[37], he established, "with immediate effect", a new placement and promotion system. It replaced the comprehensive grade-by-grade review reinstated in December 1991.[38] As in 1986, when the vacancy management and staff redeployment programme was introduced, the provisions of staff rule 104.14(f) were temporarily suspended, pending its amendment.

57. This new policy guidance on placement and promotion stated that the unprecedented demands on the United Nations required greater flexibility, streamlining, and a system that can "fill vacancies with the best qualified candidates with a minimum of delay"[39], consistent with full and fair consideration of all staff. Accordingly, the purpose of the system was "to increase the transparency of the placement and promotion processes, which should reward staff for competence, creativity and, increasingly, the mobility".[40] Therefore, among other things, it provides for the announcement of vacancies as they occur or foreseen, through publication of a monthly Secretariat-wide list of vacant posts for all categories of staff to be filled internally and also for a continuous and comprehensive review of staff for placement and promotion against those vacancies.

58. The new procedure further strengthened the role of heads of departments. After reviewing all eligible candidates submitted by OHRM or the local personnel office and considering the advice of departmental panels as regards eligible staff from the department/office at a grade lower than that of the post, they make their recommendation for filling the post. Appropriate AP bodies review the recommendation. They are also provided by OHRM or local personnel office with reports of the departmental panels and other information on collaterals that may assist them in making their own recommendations. Another provision which strengthens the role of heads of departments and offices stipulates that, after being informed of APB's recommendations, these can make comments to the

Board, if they so wish, on recommendations of the Board. These comments, together with the report of the departmental panel, are to be reflected in the report submitted by the Board to the Secretary-General for a final decision.

59. In the new system, special emphasis is required to be placed on providing the reviewing bodies with information concerning qualified women in the broader context of administrative instruction ST/AI/382. The latter stipulated that "before a post is filled, a department/office must provide documented evidence of its efforts to identify women candidates, particularly for posts at levels P-5 and above."[41]

60. With regard to criteria for assignment and promotion, the administrative instruction (ST/AI/390) underlined the highest standards of efficiency, competence and integrity as the paramount consideration. In accordance with this instruction, the reviewing bodies while considering the relevant cases should take into account the following elements:

(a) past performance, competence, efficiency and demonstrated potential to perform at the higher level;

(b) integrity;

(c) relevant experience and seniority;

(d) relevant academic training and professional qualifications and achievements;

(e) supervisory abilities and leadership capabilities, if applicable;

(f) mobility and service in hardship duty stations, when appropriate;

(g) linguistic proficiency.

61. With regard to the above, the Inspectors would like to observe that while , the administrative instruction emphasizes the Charter criteria of "the highest standards of efficiency, competence and integrity" as paramount, and lists some fifteen specific qualification elements for review, of which seniority is only one. The information circular on the new system, however, contains a detailed table of minimum seniority in grade required at each professional level.[42]

62. The administrative instruction ST/AI/390 (superseded by ST/AI/413 of 25 March 1996) also provided that "all vacant posts shall normally remain unencumbered until the permanent assignment of a candidate through internal reassignment, lateral transfer or promotion" Exceptionally, departments/offices are allowed, with the prior approval of OHRM, to temporarily assign a staff member from within the department/office against a higher level vacant post while the regular procedure for filling posts is followed. Such exceptional assignments are limited in duration to three months and should not give an advantage to the staff member concerned over other candidates.

IV. IMPLEMENTATION OF THE CURRENT PLACEMENT AND PROMOTION SYSTEM

A. General observations

63. The first observation with regard to implementation of the current system is that it was put in place not "with immediate effect" (see para 56 above), but only five and a half months after the date indicated in the Secretary-General's bulletin. This point is important to the extent that almost all statistics provided below cover the period starting on 1 May 1994. The second observation relates to transparency problems. As noted in a 1993 JIU report, the new policy guidance (as is true in other instances) was issued in three different documents[43], which is not only inherently confusing and often criticized , but also masks inconsistencies.

64. OHRM officials view the current system of placement and promotion as excellent, combining all positive features of the previous systems, and, above all, as merit-based. However, it is being criticized almost as strongly as the previous system. The results of a world-wide survey in 1995 of United Nations staff are revealing in this respect. It provides a "Picture of UN staff", which describes the weight that staff themselves give to different promotion factors, as follows:

Friends "higher up"	65,9 per cent;	Gender	10,2 per cent;
Government support	26,0 per cent;	Mobility	5,2 per cent;
Competence	20,8 per cent;	Productivity	4,7 per cent;
Seniority	20,1 per cent;	Training	3.3 per cent;
Geographical distribution	12,4 per cent;	Other	6.2 per cent.

65. According to the 4252 respondents to this survey, including directors and above who are supposed to decide on promotion, having friends "higher up" is by far a decisive factor in promotion (almost 66 per cent). Government support is ranked as the second main factor (26 per cent). Directors and above, however, believe that competence is the second main factor, while professional and general service staff think that competence comes only third or forth. As a result, only 21 percent of respondents overall cite competence as the main factor, while 20 per cent cite seniority. According to the survey, mobility, productivity and training are considered to be largely irrelevant in the promotion system.

Table 1

Longevity in grade for staff in the Professional category as at 10 July 1995

LEVEL ➡ TIME-IN-GRADE	USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	P-1	TOTAL
Greater than 5 years	3	3	18	81	183	315	335	99	-	1037
Greater than 10 years			15	39	136	273	133	31	-	627
Greater than 15 years	1			2	17	39	30	4	-	93
Total	4	3	33	122	336	627	498	134	-	1757

Source: OHRM

66. Many staff members consider that there are no promotion opportunities in the United Nations. Their frustration is easy to understand. As the table above shows, the number of staff in the Professional category who have remained at the same level for more than five years exceeds one thousand; the number of those who have remained at the same level for more than ten years is over six hundred. Nearly one hundred staff members in the Professional category have remained at the same level for more than fifteen years.

67. The system of promotion against a vacant post worked relatively well over a long period when the United Nations was expanding. But the retrenchment implemented following the recommendations of the "Group of 18" brought about a significant reduction in promotions. As a result of additional recent restructuring followed by downsizing, promotion opportunities have now become even more limited. Lack of promotion opportunities certainly has a demoralizing effect on the staff. In its recent report[44], CCAQ cited insufficient career opportunities as a major factor of resignations or non-acceptance of contract renewal by the United Nations staff. In this context, voluntary departures of young talented staff members are particularly disturbing.

B. Promotion as part of career development

68. Promotion, alongside with human resources planning, job classification, recruitment, staff training and development, staff performance evaluation, staff mobility, career counselling, is a critical component of any viable career development system. In this connection, it will be recalled that, as far back as in 1978, the Secretary- General, acting on JIU recommendations, decided to manage the staff of the Secretariat on the basis of occupational groups and to establish a career development system organized along occupational lines for all staff members appointed under the 100 series of Staff Rules for more than a year.[45] In 1982, ICSC "strongly urged organizations to ensure that their promotion processes are aligned with their career development policy"[46].

69. The intent to establish a comprehensive career development system was repeated in 1983, and again in 1985. In view of the lack of progress, the General Assembly ,in its resolution 44/185 of 1989, called on the Secretary-General: "to complete the development of a comprehensive career development plan for all staff that allows for fair and transparent post-bidding throughout the Secretariat..., ensures adequate, equitable and transparent promotion procedures and recognizes merit through a rational performance evaluation and reporting system"[47].The following year, in its resolution 45/239, the General Assembly requested the Secretary-General "to pursue efforts towards establishment of a comprehensive career development plan for all categories of staff...and to report on this system to the General Assembly at its forty-seventh session"[48].

70. In 1992, in compliance with resolution 45/239, the Secretary-General informed the Assembly of the status of the career development scheme and the plan for the future. His report focused on the concept and scope of a career development scheme and on the actions needed, such as human resources planning, the preparation of a skills inventory, and the promotion of staff mobility, development and training. It highlighted the integrated nature of the components of the scheme and emphasized the role of career development in creating an atmosphere conducive to high staff morale, and consequently to high productivity, which, in turn, would have enhanced the overall effectiveness of the Organization. The 1992 report stated that past efforts indicated the Secretariat's commitment to career development as an "indispensable strategy" for human resources management.

71. However, the report concluded rather casually that, although efforts had been "going on for sometime" and a great amount of work had been done on practically all the elements of career development system, a fully functioning system had not yet been put in place. It went on to state that the Secretariat efforts must adopt "a long-term approach"and that the entire concept of career development needed to be rethought and the efforts redirected, as necessary, "if a viable career development system was to be established"[49]. The report also outlined an implementation plan with a pilot project for the administration occupational group as one of the major tests of the viability of the proposed career development system[50]. Finally, "considering the profound impact of his effort on the long-term growth and vitality of the Organization," the Secretary-General promised progress reporting to the General Assembly at its forty-ninth session on his efforts to establish and maintain a viable career development system for staff of all categories in the Secretariat.

72. The Secretary-General's report on "Human resource management policies" submitted to the forty-ninth session of the General Assembly covered some basic elements of career development: training, mobility and a revised performance appraisal system[51].The human resources strategy document[52] and the USG for Administration and Management stressed, following the failure to put it in practice, the obligation of an effective organization "to help all staff to climb the career ladder through training, management and counselling, and through their own willingness to develop skills"[53]. Analysis of both documents suggested that any coherent policy, guidance or plan for career development was still non-existent in the Organization.

73. In this context, the most surprising discovery of the Inspectors was that the proposed medium-term plan for 1998-2001[54] does not make any mention of a system of career development. In the report on implementation of the strategy for the management of human resources (A/C.5/51/1), in turn, the concept of "career development" was replaced, in particular, by such notions, as "career support", "staff development", "managed assignments"[55]. The report, referring mostly to the need of provision of "more systematic training", "development opportunities" and to some practical measures in these areas to be taken for junior professionals, is very vague about the progress achieved with regard to "comprehensive career development". Much more clarity is needed, however. For the time being, the Inspectors have to observe that this essential programme need continues unfulfilled, and implementation of a career development system stretches out further and further into an indeterminate future"[56]. In sum, repeated requests by the General Assembly and, since 1978, numerous promises of the Secretary-General to put in place a viable career development system have had no effect whatsoever. In retrospect, JIU must repeat its 1994 conclusion that "career development" has to be considered one of the most disappointing administrative policy efforts in the United Nations history[57].

74. The Organization indeed should have policies that for initiative and active participation by staff members in the process of planning and developing their careers. But it is up to the Secretariat to develop a practical system which will provide promotion possibilities to all staff through establishing consistent links between the variety of skills available in the Organization and its future demands in this area. In the Inspectors' view, OHRM now has the necessary planning capacity, career development expertise and information technology support to establish such a system. It is also up to the Secretariat to chart career paths in a fair and transparent manner for all staff, not merely for the selected few who: (a) are placed for long periods against vacant higher level posts, or (b) given accelerated promotion, or (c), using the terminology of the OHRM head, are a part of "special deals, favouritism, parochialism, and nepotism".

C. Promotions under the current system

(a) Overall statistics

Table 2

Promotions by department or office, level and gender
(1 May 1994 - 31 May 1995)

Department or Office	P-2		P-3		P-4		P-5		D-1		Total		
	F	M	F	M	F	M	F	M	F	M	F	M	F+M
EOSG			1	1			1	1	2		4	2	6
DAM			4	6	12	14	14	6		3	30	29	59
DPA			5	1		2	4	2	2	1	11	6	17
DPI			2		1	1	2	1	1	1	6	3	9
DHA							1				1		1
DHA/DPI			1				2				3		3
DPKO			1							1	1	1	2
OLA			1		3		3	2		1	7	3	10
DPCSD					4			1			4	1	5
DESIPA			1			1	1			3	2	4	6
OIOS					1						1		1
OCSS/OASG					1						1		1
DDSMS										1		1	1
UNCTAD								1		1		2	2
ECE					1			2			1	2	3
ECLAC				1	1	3	3	2		2	4	8	12
ESCAP			3	1	2	6	1	2	1	2	7	11	18
ESCWA	1										1		1
ECA								2				2	2
UNOG						1	4				4	1	5
UNOV				1	1						1	1	2
UNDCP					1	1					1	1	2
UNIDO							1				1		1
UNDP									1		1		1
UNPA/UNOV							1				1		1
UNJSPF			1		1						2		2
ICSC				1								1	1
Total	1	0	20	12	29	29	38	22	7	16	95	79	174

Source: OHRM

75. Table 2 above indicates that, in the period 1 May 1994-30 May 1995, 174 staff members were promoted under the current system. Fifty-five per cent of those promoted were women. Promotions of DAM staff represented one third of the total, which approximately corresponds to the share of DAM professional staff of the Secretariat's total. An unproportionally high rate of promotions has been observed in such departments and offices as DPA, ESCAP and OLA.

(b) Accelerated promotions

Table 3

Accelerated promotions by department or office, level and gender
01.05.94 -- 30.05.95

Department or Office	P-2		P-3		P-4		P-5		D-1		Total		
	F	M	F	M	F	M	F	M	F	M	F	M	F+M
DAM					1*	1	4*	1		1	5*	3	8
DPA			1							1	1	1	2
DHA							1				1		1
DPKO										1		1	1
OLA					1*		1*	1			2*	1	3
DPCSD					1						1		1
OCSS/OASG					1						1		1
ECLAC							1*				1*		1
ESCAP			1*			1		1		1	1*	3	4
UNDCP					1*						1*		1
Total			2		5	2	7	3		4	14	9	23

Source: OHRM (*) (ST/AI/382)

76. Table 3 above shows that over the reported period 23 accelerated promotions were made in 10 of the 30 Secretariat departments and offices. Promotions of women (14) constituted more than 60 per cent. In turn, 10 (or over 70 per cent of the women) were promoted in accordance with the special measures for promotion of women (marked by asterisk) provided for in Administrative Instruction ST/AI/382 of 3 March 1993. On 5 January 1996, the latter was superseded by ST/AI/412 (see paras.88 - 90 below).

77. While the above instructions may partially be considered as a policy documents for accelerated promotion of women, general policy or guidelines for accelerated promotion of United Nations staff are non-existent. Only minimum periods of service in grade are established for accelerated promotion. Vague guidance, in the Inspectors' view, opens the door to all kinds of abuses. To be effective, the guidance must be clear, specific, understandable and fully communicated to everyone involved. It will be recalled that, as far back as 1984, ICSC recommended that "special strict criteria be developed for accelerated promotions based on outstanding performance to counteract a situation where part of the staff stagnated while others ascended rapidly on the career ladder"[58]. Against the backdrop of a great number of staff who have been blocked at their current grade for 10, 15 and more years, the Secretariat does indeed have some cases of sky-rocketing careers.

78. The Inspectors would like to observe, however, that criteria for accelerated promotion do exist, for example in UNDP and UNFPA. They include:

(a) consistently high performance and achievement over the period since the last promotion, and

(b) ability to effectively discharge higher levels of responsibility.

Moreover, in UNDP and UNFPA, cases for accelerated promotion require a detailed and unqualified proposal. Such proposals contain specific evidence of exceptional performance and achievement through documented "critical incidents." These "critical incidents" are preferably drawn from the entire period since the last promotion.

(c) promotions by discretionary decisions

Table 4

Promotions by discretionary decisions of the Secretary-General (01.05.94 - 30.05.95)

Department or Office	P-2		P-3		P-4		P-5		D-1		Total		
	F	M	F	M	F	M	F	M	F	M	F	M	F+M
EOSG			1	1			1		2		4	1	5
DPI								1				1	1
Total			1	1			1	1	2		4	2	6

Source: OHRM

79. Table 4 above shows that, over the reported period, the Secretary-General has exercised his discretionary powers for promotion of staff 6 times, which resulted in promotion of 5 staff members in his executive office and of one staff member in DPI. The Inspectors would like to recall that "discretionary" means something left to or regulated by one's own discretion or judgement. Something discretionary allows the freedom to judge what should be done in a particular case without having to follow a precise instruction or a set of rules. In the United Nations, exceptions to the Staff Rules may be made by the Secretary-General, "provided that such exception is not inconsistent with any staff regulation or other decision of the General Assembly and provided further that it is agreed by the staff member directly affected and is, in the opinion of the Secretary-General, not prejudicial to the interests of any staff member or group of staff members"[59]. The Inspectors are aware of the fact that grievances were lodged before APB by staff members who believe that discretionary decisions of the Secretary-General have brought prejudice to their careers.

80. APB members informed the Inspectors that the name of the Secretary-General is invoked too often when individual cases are being discussed. In the Inspectors' view, given the explanations above, discretionary powers can not and should not be delegated. Therefore, whenever a discretionary decision of the Secretary-General is involved, APB should be presented with a written decision, signed by the Secretary-General himself. All other references to the Secretary-General in relation to individual promotion cases should be considered as exerting inappropriate pressure on AP bodies.

(d) Mobility in promotion decisions

81. The analysis of the data provided by APB on promotion cases over the period 1 May 1994 - 31 May 1995 shows that mobility is so limited that it is essentially meaningless in promotion decisions. Indeed, out of total 177 promotions made in the above period 154 were in the same department. In 15 other cases the staff moved between departments at the same duty-station (12 in New York and 3 in Geneva). In 4 cases staff moved between New York, Geneva and Vienna. In only 4 cases did promotion involve movement from major headquarters (New York, Geneva, Vienna) to regional offices. It will be recalled that the General Assembly, in its resolution 49/222, urged the Secretary-General to apply mobility elements of HRMS to internationally recruited staff[80]. In this regard, it may be mentioned that, in her statement on the Staff Day of 13 September 1996, the President of the New York Staff Committee, declared that "Staff find it impossible to transfer from one department to another because departments favour what they refer to as 'their own staff'"[81].

D. Placements

82. Resolution 49/222 also noted that the strategy calls for mobility on the part of all new internationally recruited staff, and that regulation 1.2 of Staff Regulations and Staff Rules gives the Secretary-General the authority to assign all internationally recruited staff to any of the activities or offices of the United Nations. It therefore urges the Secretary-General to apply to them the mobility elements of the new strategy.

Table 5

Placements (transfers and assignments) by department, level, and gender (01.05.1994 - 30.05.1995)

Department or Office	P-2		P-3		P-4		P-5		D-1		Total		
	F	M	F	M	F	M	F	M	F	M	F	M	F+M
DAM				1				1	2	1	2	3	5
DPI						1	1				1	1	2
DPKO			1		1	1					2	1	3
DPCSD			2								2		2
DESIPA			1								1		1
UNCTAD				1								1	1
ECLAC									1	1	1	1	2
ESCWA								1				1	1
UNOG							1				1		1
UNOV							1				1		1
UNIDO						1						1	1
UNJSPF			1								1		1
ACABQ/DAM								1				1	1
Total			5	2	1	3	3	3	3	2	12	10	22

Source: OHRM

83. Table 5 above suggests that during the first 13 months of operation of the new system, only 22 placements (transfers and assignments) of professional staff were made. Compared to the total number of professional staff (3918)[62], this figure conspicuously indicates that mobility of the Secretariat's personnel is extremely low (0.6%). Moreover, the OHRM statistics for this period show that there were only two assignments: one in CHRM (to a higher level - P.5), and another - in ECLAC. Most of total 17 transfers took place in the Headquarters in New York (8, including 2 within the same department). Other transfers were from regional commissions to Headquarters (3), between major headquarters (3), and from a mission to Headquarters (1).

Table 6

Staff members on the post before being selected.

Department or Office	P-2		P-3		P-4		P-5		D-1		Total		
	F	M	F	M	F	M	F	M	F	M	F	M	F+M
DAM			1		3	4	4	3		1	8	7	15
DPA			5			1	6	2			11	3	14
DPI			1		1		3				5		5
DHA							1				1		1
DPKO										1		1	1
OLA								1				1	1
DESIPA										1		1	1
OIOS			2	2		1	1				3	3	6
OCSS/OASG					1							1	1
DDSMS										1		1	1
ECLAC				1	1	1		1		1	1	4	5
ESCAP							1		1	1	2	1	3
ESCWA								1		1		2	2
ECA								1				1	1
UNOG							1				1		1
UNOV				1		2						3	3
UNIDO					1							1	1
UNPA/UNOV							1				1		1
UNJSPF			1								1		1
Total			10	4	7	9	18	9	1	7	34	30	64

Source: OHRM

84. The lack of appropriate definitions is a handicap in analysing the above data. The Inspectors attribute the discrepancies between data on promotion provided by OHRM and APB , for instance, to the absence of relevant clear-cut definitions. Should movement of a person within the same department, for example, be called a transfer or reassignment? Should the movement between units within the same department or between departments in the same duty-station be considered mobility and as such be taken into account in promotion decisions? The Inspectors believe that the Personnel Manual recently issued by OHRM, following JIU recommendations, should contain such definitions. This would help

not only Member States wishing to analyse the human resources management data, but also executive offices and OHRM officials in their every-day work.

85. Administrative instruction ST/AI/413 which revised the placement and promotion system introduced in November 1993 provides that all vacant posts shall normally remain unencumbered until the permanent assignment of a candidate through internal reassignment, lateral transfer or promotion. Temporary assignments of a staff member from within the department/office against a higher level vacant post while normal placement procedures are underway may be allowed by OHRM only in exceptional cases , which are limited to three months in duration[63]. However, as table 6 shows, these "exceptional" cases are rather numerous. APB has repeatedly observed that, in many promotion cases, the recommended candidate had been occupying the post for longer than three months authorised under provisions of ST/AI/413, sometimes longer than a year. DAM, which enforces personnel procedures and policies, and DPA are the departments that abused this practice most.

86. ST/AI/413 also mentions that temporary assignment against of a staff member from within the department / office against a higher level post " shall not give an advantage to the staff member concerned over other candidates"[64]. In APB's view, however, this practice continues to raise questions of credibility and fairness both to the ad hoc incumbent and other interested staff. On several occasions, Member States and JIU criticised abusive recourse to this practice. The Inspector see no rationale for its further use. Given the means, which are currently at OHRM disposal, most vacancies should be anticipated, and once they are foreseen, action should be immediately taken to fill the vacancy. No exceptions, apart from replacing the staff serving on missions, should be made to 3-month time limit for temporary occupying a vacant post. In the Inspectors' view, once this time limit is exceeded, the staff member temporary occupying the post should be no longer considered eligible for this vacancy.

Table 7

Waivers of circulation of vacancy announcements

	P-2	P-3	P-4	P-5	D-1	Total
Recruitment	4	1	2	4		11
Promotion		10	3	9	10	32
Transfer					2	2
Total	4	11	5	13	12	45

Source: OHRM

87. One of the declared purposes of the new system is " to increase transparency of the placement and promotion processes". The HRMS also calls for managing maximum transparency in vacancy management and selection. In this regard, it establishes improved transparency in filling posts internally as one of the main performance indicators. However, as reported by APB, in the period 1 October 1994-31 March 1996, circulation of vacancy announcements for posts in the Professional category was waved in 45 cases. This represented 9.2 per cent of the total number of vacancies in this category (478). Some director- level posts have been filled in this manner.

E. Special measures to achieve gender equality

88. In his recent bulletin on policies to achieve gender equality in the United Nations, the Secretary-General reiterated the policy of the Organization and his strong commitment with respect to achieving gender equality in the United Nations, through the full implementation of the strategic plan of action for the improvement of the status of women in the Secretariat (1995-2000).[65] The plan, which was endorsed by the General Assembly in its resolution 49/167 of 23 December 1994, establishes the goal of gender parity by the year 2000 overall and in policy-level positions (D-1 and above).

89. By his ST/AI/412 [66] of 5 January 1996, which superseded all previous instructions, the Secretary-General consolidated the special measures introduced over the years to improve the status of women in the Secretariat. These measures applicable throughout the Secretariat to the filling of all vacant posts at the Professional level and above in every department or office that has not reached gender parity both overall and in policy-level positions include:

(a) the possibility for women who have served in the Organization, including United Nations programmes, for at least one year, under any type of appointment or as consultants, to apply as internal candidates for vacancies at the Professional levels and above;

(b) in case of a hiring freeze, more favourable consideration of requests for exceptions, if the recommended candidate is a woman;

(c) waving the requirement of announcing vacancies externally in cases when OHRM has identified from within the Organization or from the roster or another direct source of recruitment fully qualified and suitable women candidates;

(d) identification by OHRM and substantive departments women candidates who meet only the minimum qualifications for any vacant post;

(e) the possibility for women staff in the General Services category to take the P-3 national competitive examination when they meet the requirements as to education, experience and nationality applicable to other candidates; and

(f) granting exceptions only to women, if any candidate is to be recruited over the normal maximum desirable range for a given country.

90. Moreover, by his memorandum to heads of departments and offices dated 27 January 1995, the ASG for human resources management practically declared suspension of recruitment of male candidates during the period from the date of his memorandum to 30 June 1995. In order to increase the number of women considered for promotion, ST/AI/412 provides for "flexible" application of rules on seniority, which implies that the cumulative seniority of a woman staff member shall be calculated as an average of the years in her present grade and the years accrued in her immediately preceding grade. For instance, if seniority in her present P-5 grade is three years and seniority in her previous P-4 grade is seven years, cumulative seniority should be five years in her present grade. ST/AI/412 obligates OHRM or the local personnel office to make every effort to identify qualified women staff members who, under normal seniority criteria or according to the averaging technique outlined above, have the minimum requisite seniority for accelerated promotion.

91. While considering that in a number of its recent resolutions, including resolution 49/197, the General Assembly made a proper emphasis on the necessity of improving the status of women in the Secretariat, and that the strategic plan complies with the Assembly directives, implementation of the plan has been somewhat flawed. The General Assembly, in its resolution 49/197, urged the Secretary-General to accord greater priority to the recruitment and promotion of women "in accordance with the Charter of the United Nations and consistent with the strategic plan".

92. However, some of the special measures for recruitment, placement and promotion of women seem to contradict both Article 8 of the Charter and regulation 4.2 (see para. 12 above) of Staff Regulations and Staff Rules. They also seem to be at variance with Article 101(3) of the Charter. The Inspectors are particularly concerned that the new policy guidance gives orientation toward identification of "women candidates who meet the minimum qualifications for any vacant post".They feel that the meaning of "a suitable woman candidate" in the recruitment and promotion process needs to be qualified. The Inspectors believe that, in general, the above administrative instruction leaves too many loopholes and opportunities for abuse.

93. The above measures are being considered by many as discriminatory towards male candidates. As a result, a number of grievances have been recently lodged before the JAB and UNAT. In this connection, the Inspectors would like to refer to a recent case, when APB, relying on the language of ST/SGB/237 requiring promotion of women candidates solely on the basis of gender if they met the requirements of the vacant post, omitted the names of equally qualified male candidates. In this case, UNAT observed that when the APB issued the short list, based on the above Secretary-General's bulletin, this was not in conformity with either the 1989 or 1990 General Assembly resolutions. Neither was it in conformity with the subsequent 1991 General Assembly resolution, to the extent that the bulletin was interpreted as purporting to authorize the promotion of candidates solely on the basis of gender if they merely met the requirements of the vacant post without regard to whether there were better qualified candidates for the post. The UNAT held that the language of Article 101(3) of Charter unequivocally establishes a standard under which less qualified persons are not entitled to preferential treatment based on gender, and that the fundamental principle reflected in Article 101(3) may not be diluted by a desire, however commendable, to overcome past problems[67].

94. In this context, the Inspectors would like also to refer to a similar case considered by the Court of Justice of the European Communities. On 17 October 1995, it ruled that "article 2, paragraphs 1 and 4 of the Council directive 76/207/EEC, dated 9 February 1976, pertaining to the application of the principle of equality between men and women with regard to job access, professional training and advancement, and conditions of work, opposes a national regulation, which, as demonstrated by the submitted documents, in cases of equal qualifications of the candidates of different sexes, retained for promotion, automatically accords priority to female candidates in the sectors where women are under-represented, considering under-representation the situation whereby women do not constitute at least a half of the staff belonging to different grades of the category of the personnel concerned of a service and at all levels of a function, provided for by the organigramme."[68]

95. In the Inspectors' view, special measures for promotion of women were introduced due to the failure to recruit, and this despite the announced "aggressive" and "proactive" recruitment policy, the required number of women to achieve, by the year 2000, gender

parity. Explanations to the effect that these measures were introduced to correct mistakes of the past are not convincing at least for one reason. If some discriminatory actions were taken in the past, they represented, at worst, only violations of the then-existent equitable gender policy. Presently, however, with the introduction of different criteria for recruitment, placement and promotion based on gender, discrimination has been institutionalized.

96. The Inspectors believe that the special measures giving automatic preference to women in a placement and promotion system are redundant, if the aim of the system is to recruit, place and promote the best as required by the Charter and if a woman's qualifications are superior. The voices to the effect that these measures are not only unnecessary but also humiliating to women were heard by the Inspectors from women themselves both in the New York Staff Council during their interviews and in the Fifth Committee when it considered part I of their report. The Inspectors believe that the relevant Secretary-General's bulletins should be revised so as to exclude discriminatory provisions therefrom.

F. Further fine tuning

97. In his bulletin of 15 November 1993, the Secretary-General also emphasized that the appointment, promotion and placement policies within the Secretariat would be constantly reviewed, updated and refined in the light of the experience and long-term needs of the Organization. Fine tuning of the current system, in particular, is provided for in the HRMS and resolution 49/222 by which it was adopted and in resolution 47/226. Thus, in resolution 49/222, the General Assembly, *inter alia*, requested the Secretary-General to give particular attention to effective vacancy management in implementing the new strategy for the management of human resources. In resolution 47/226, the Secretary-General was also encouraged to take into account the knowledge of a second official language of the United Nations in the promotion of all Professional staff in accordance with the relevant General Assembly resolutions.

98. It is hoped that a triennial review of the career situation of staff members who have not benefited from the current promotion system will play an important role in further development and implementation of a human resources management system more responsive to the ever-changing expectations of Member States. Such review, which OHRM plans to initiate this year, will attempt to identify the causes for the lack of career development of those staff members and will propose corrective actions. As suggested in the HRMS, by looking at the staff members who have not been promoted for long periods of time, it is hoped to improve morale and to address problems in career "bottlenecks" through retraining or through internal redeployment in the Secretariat[69].

99. It is expected that an important role in fine tunning will be played by the new Performance appraisal system (PAS) introduced in 1995 and such elements of HRMS as development goals for both the staff and the Organization; coaching staff to improve their performance and reach full potential; building their commitment to the Organization through discussion of career opportunities and career planning; motivating staff through recognition of good performance; strengthening staff-supervisor relations; and diagnosing individual and organizational problems. It is hoped that the results of PAS would also allow to enhance the effectiveness of the placement and promotion system. Among other things, it is expected that PAS dialogue will enable the Administration to identify staff strengths and weaknesses, issues and appropriate action relating to staff performance, lack of mobility, morale and career opportunities.[70]

V. TOWARD GREATER RESPONSIBILITY AND ACCOUNTABILITY IN HUMAN RESOURCES MANAGEMENT

A. General Assembly requirements

100. Against the backdrop of an ever-changing international climate and the serious economic difficulties of Member States, managers are increasingly being held accountable for the effective and efficient use of resources. By its resolution 48/218 of 23 December 1993, the General Assembly, inter alia, endorsed the recommendations of the Committee for Programme and Coordination (CPC) on the establishment of a transparent and effective system of accountability and responsibility no later than 1 January 1995, and requested the Secretary-General to include in the system of accountability and responsibility, among other elements, "a mechanism ensuring that programme managers are accountable for the effective management of the personnel and financial resources allocated to them"[71] and "effective training of staff in financial and management responsibilities"[72].

101. In this regard, the Secretary-General intended to establish an effective, integrated management system based on a clear definition of managers' responsibility; provision to managers and staff the resources and authority to carry out their respective responsibilities effectively; accountability at all levels through appropriate mechanisms. HRMS provides support for this process-oriented approach also through a *bona fide* reward system to motivate staff at all levels, as well as sanctions against non-performers.[73]

B. Litigation on placement and promotion issues

102. Statistics on and consequences of litigation on placement and promotion issues is another sound argument in favour of strengthening managers' responsibility and accountability for the proper use of human resources. It will be recalled that, in the United Nations, mechanisms for the settlement of disputes include, as a first step, a request for review of the impugned decision to be addressed to the executive head. Each claim or allegation of staff is first reviewed by a centralized Administrative Review Unit in OHRM. The case unresolved at this level can then be brought before JAB which will consider it at length on a quasi-judicial basis and will make a recommendation to the Secretary-General.

103. The competence of JAB in dealing with appeals presented to it is, as outlined in Staff Regulation 11.1, to advise the Secretary-General "in case of any appeal by staff members against an administration decision alleging the non-observance of terms of appointment, including all pertinent regulations and rules". The UNAT, in interpreting the above Regulation, has stated in its Judgement No. 432, Lackner:

> "According to this text, to establish the competence of the JAB to entertain an appeal by a staff member, two basic requirements must be fulfilled: 1. The appeal must be directed against an administrative decision 2. The subject-matter of the appeal must be an allegation of non-observance of the staff member's terms of appointment by administrative decision contested. In the Tribunal's view, if one of these two requirements is not met, the JAB is not competent."

Table 8

Promotion- and placement-related appeals resolved at OHRM level and those which required intervention by JAB (January 1991-June 1995)

Year	No. of requests for review submitted	No. of requests resolved at OHRM level	No. of requests submitted to JAB
1991	47	13	34
1992	66	18	48
1993	19	10	9
1994	44	16	28
1995*	13	2	4**

Source: OHRM
Note: *first half of the year
** time limit for appealing remaining 7 cases did not pass by the time the above data was provided.

104. Table 8 above, based on the information provided by OHRM, shows that, over the recent years, the annual number of promotion-related appeals varied from 19 to 66 (the data for 1995 is incomplete). The number of cases resolved at the level of OHRM represented in 1991- 27 per cent, in 1992 - 27 per cent, in 1993 - 52 per cent, and in 1994 - 36 per cent.

Table 9

Consideration of appeals related to placement and promotion by JAB, New York (1990- June 1996)

	1990	1991	1992	1993	1994	1995	1996
Total number of reports*	48	79	87	75	70	64	26
Cases related to placement and promotion	14	26	29	22	18	13	3
Recommendations favourable to appellant	10	24	20	12	9	7	1
Recommendations for monetary compensation	4	10	7	2	4	4	1
Recommendations for monetary compensation accepted by S-G	2	5	3	1	2	4	1

Source: Joint Appeals Board
*including cases related to UNICEF and UNDP

105. The table above, based on the data provided by JAB (New York), suggests that cases related to placement and promotion issues constitute about 30 per cent of total cases before JAB (the data on 1996 is incomplete). It also shows that ,in the majority of cases, JAB adopts decisions favourable to appellant. Recommendations for monetary compensation, with the exception of 1993, constitute about a half of them. In turn, about a half of the recommendations are accepted by the Secretary-General.

106. In cases when JAB recommendation favourable to an appellant is rejected by the Secretary-General, UNAT is the last resort. With regard to the issues discussed in the present report, UNAT has established that a staff member can have no automatic right to promotion. The premise for this ruling is Article IV of the Staff Regulations and Chapter IV of the Staff Rules, which provide that promotions are subject to the discretion of the Secretary-General.

107. While recognizing the discretionary authority of the Secretary-General with regard to promotion, UNAT, in its Judgement No. 411, noted that staff members are promoted regularly according to an elaborate process governed by the relevant rules and procedures. According to the Tribunal, these rules and procedures, while regulating the promotion process, also contained safeguards to ensure fairness and objectivity in a process which is vital to the life of a staff member. The Tribunal also considered that these rules and procedures were part of the conditions of service of staff members and, therefore, they should be respected, correctly interpreted and properly applied as long as they are in force[74]. The Tribunal has reviewed the promotion process to determine whether it had been tainted by bias, prejudice, arbitrariness, abuse of power or whether there had been circumvention or violation of the relevant rules and procedures.

Table 10

Promotion-related appeals addressed to UNAT and their outcome (1990-1994)

Year	Total number of cases presented	Number of cases		
		Rejected	Remanded	Total compensation paid
1990	6	3		$US 27,000
1991	14	6	2	15-month salary and $US 41,000
1992	11	9		3-month salary and $US 46,000
1993	8	4		$US 7,000
1994	16	12	1	$US 6,000

108. Table 10 above shows that from 6 to 16 promotion-related appeals are considered annually by UNAT. The table also reveals that the relation between the total number of appeals lodged and that of rejected varies from year to year. The year 1992 witnessed the highest proportion of rejected appeals - 9 out of 11 or more than 80 per cent. The lowest proportion of rejected appeals was registered in 1991- 6 out of 14 or 40 per cent. The highest amounts of compensation were paid in 1991 and 1992 (15-month salary plus $US 41,000 and 3-month salary plus $US 46,000, respectively).

109. The Inspectors observe that recently, within the framework of expediting the litigation process, the attempts weer made to establish procedures for dealing with small claims (up to $US 1,500). Some progress has also been made in establishing early reconciliation procedures. At present, whenever possible, meetings are held with the participation of the appellant, DAM representative and JAB chairperson in order to find a solution acceptable to the appellant and Administration. In order to simplify filing a request for an appeal, JAB has introduced a standard form.

110. The Inspectors believe, however, that measures aimed at expediting and simplification of litigation procedures do not treat causes of this process. In their view, one of possible measures could be holding programme managers financially responsible for those decisions which entailed paying damages to the staff concerned. Staff Rules 112.3 provide the Secretary-General with the necessary means to do so. It says: "Any staff member may be required to reimburse the United Nations either partially or in full for any financial loss suffered by the United Nations as a result of the staff member's negligence or of his or her having violated any regulation, rule or administrative instruction"[75]. This rule could be applicable to financial losses incurred in placement and promotion cases when it was established that placement and promotion decisions appealed against were based on improper motivation, willful violation, or reckless disregard of Staff Regulations, Staff Rules, and established policies regulating placement and promotion.

111. The second measure relates to cases of unjustified appeals. The current system of administration of justice contains no disincentives in this regard. The Inspectors are aware of staff who repeatedly present unfounded grievances. They believe that in order to prevent the system from being overburdened by frivolous claims thereby incurring substantial expense and discriminating against justified appeals, only the first appeal should be made free of charge, whereas for all subsequent appeals a fee should be introduced.

C. Decentralization and delegation of authority

112. Decentralization and delegation of authority in respect of managing human resources is one the elements in the process of promoting responsibility and accountability for human resources management. It is central to HRMS. As indicated in the HRMS document, this decentralization would include delegating from OHRM to programme managers at Headquarters and in the other offices of the global Secretariat such functions as recruitment, including medical clearance, performance and career management, and administration of entitlements. It was also stipulated that further delegation of the day-to-day management and administration of staff would be carried out within the safeguards of manager accountability, OHRM monitoring and audit.[76] It was considered that in the future OHRM should have a role of policy-maker, planner, the guardian of the Secretary-General's authority, consultant and the provider of advice in regard to the undertaking of the human resource responsibilities.

113. Member States held that there was merit in the Secretary-General's proposal to establish and monitor a decentralized human resources management system and welcomed his recommendations concerning the devolution of responsibilities from OHRM to programme managers. The Inspectors welcomed decentralization in principle in part 1 of the present report. However, they considered that it would be premature and even counter-productive to delegate such essential functions as "hire","fire" and "promote" before:

(a) human resources management policies are formulated as suggested by the Secretary-General in his report A/C.5/49/5;

(b) all personnel procedures and methods are reviewed and improved, as required by General Assembly resolution 47/226;

(c) proper demarcation of responsibilities in the area of human resources management is established between OHRM and other offices and departments at and away from Headquarters; and

(d) appropriate mechanisms for reporting and accountability are put in place[77].

114. As indicated in the Secretary-General's report on the implementation of the strategy for management of the Organization's human resources only very limited delegations of authority to the offices away from Headquarters has taken place since the strategy was adopted[78]. In OHRM's view, a number of unforseen difficulties have intervened in the process, such as (a) the necessity to amend certain provisions of the Staff Regulations and Staff Rules, (b) the potential danger for local AP bodies to be under undue pressure from programme managers, and c) the need for APB to play its role in the system of checks and balances with regard to placement and promotion in the Organization as a whole. The Inspectors consider that the main obstacle on the way to the decentralization has been the failure to comply with the provision of General Assembly Resolution 47/226 which required to review and improve all personnel procedures and methods. In addition, the Inspectors observe that the necessary conditions for decentralization have not been created. These conditions, among others, include demarcation of responsibilities for human resources management between OHRM and substantive departments and establishment of appropriate mechanisms for reporting and accountability for the proper management of human resources.

D. Improving supervisory and managerial skills

Table 11

Supervisory and management training activities (1994-1995 biennium)

Training activity	Number of participants		
	Professional category	GS and related categories	Total
Director level	275	-	275
Middle-level professionals	154	-	154
Training in performance appraisal	4132	-	4132
Leadership and management in field operations	47	14	61
Project management	190	13	203
Client service training	63	175	135
Supervisory training	102	7	109
Totals	4963	106	5069

Source: OHRM

115. It will be recalled that the General Assembly, in its resolution 48/218, requested the Secretary-General to include in the system of accountability and responsibility, among

other elements, "effective training of staff in financial and management responsibilities". The reason is obvious. In the United Nations, promotions to managerial level posts have often been rewards for good performance at a lower level which might not require managerial skills. In this regard it may be mentioned that the 1993 analysis of the United Nations management culture revealed that a number of the managers interviewed were "entirely unfamiliar" with contemporary management experience, such as principles of organizational development, change management, or the quality management movement. Its another most distinctive finding, relative to other organizations, was the frequency with which untrained people were placed in managerial positions in the United Nations Secretariat. According to a 1995 JIU report, the group of unprepared managers was quite probably the largest in the United Nations.[79] The above underlines critical importance of strengthening supervisory and managerial capacity of the Organization through training, if its administrative and financial functioning is to become really efficient and if a real culture change is to take place.

116. The Inspectors observe that the training activities carried out by OHRM in the 1994-1995 biennium are commendable. Table 10 above describes the training activities undertaken by the Secretariat in the 1994-1995 biennium in order to enhance supervisory and management skills. In total, 5069 staff members have participated. The funds allocated for this activity amounted to $US 1,822,940 and represented 22,4 per cent of the funds allocated for all training activities ($US 8,139,285). By way of comparison, more resources were allocated only for information technology training ($US 2,125,500) and language and communication training ($US 2,195,900).

117. Within the framework of supervisory and management training, a key initiative has been the introduction of a mandatory programme of People Management Training. OHRM reports that the programme was launched in July 1995 and is being implemented systematically, starting with all staff at D-1 and D-2 levels. To date, some 290 staff have participated. The training, which has been custom designed for the United Nations, is based on ten managerial competencies considered essential for managers in the International Civil Service. It aims at providing managers with greater awareness of their own managerial strengths and weaknesses and enhanced ability to effectively manage the human resources entrusted to them. The training is designed to support and reinforce other key elements of HRMS by: (a) Developing skills and attitudes required to successfully implement the new system of performance management; (b) Reinforcing the critical role of managers in career support and staff development; (c) Developing a greater sense of managerial accountability and responsibility; and (d) promoting sensitivity to gender issues in the work place.

118. The Under-Secretaries-General heading all of departments at Headquarters and the chief of staff participated in a special senior management programme, which focused on ways of achieving the desired change to a people-oriented and performance -based management culture, developing a common understanding of their strategic leadership role in managing the Organization, and enhancing cross-departmental cooperation and collaboration. It is intended to involve Heads of Department and Office away from Headquarters in a similar programme in the near future.

119. Implementation of the People Management Training Programme for staff at the P-5 and P-4 levels will begin in the fall of 1996, and it is expected that by the end of 1997 an additional 600 staff will have been trained. OHRM also reports that, in the near future, it will launch a comprehensive training programme to support the creation of a cadre of

staff to serve in key administrative positions in both established offices and operations in the field. The main objectives of this programme are to provide the knowledge and understanding of the principles and rationale underlying United Nations administrative practices, policies and procedures in all areas of administration: personnel, finance, budget, procurement, support services; and to develop the ability to apply administrative rules, regulations, policies and procedures accurately and consistently. These staff will also receive training in the communication skills needed to carry out their functions.

E. Strengthening OHRM

120. In the United Nations, the primary responsibility for managing human resources lies with OHRM. Given the magnitude of tasks set forth in HRMS, the General Assembly recognized that its implementation required enhancement of and respect for the authority of OHRM. The JIU, in its recent reports (JIU/REP/94/3 and JIU/REP/95/1 - Part 1), advocated strengthening of OHRM management capacities and upgrading its human resources through hiring officials with specific and solid professional education and experience in human resources management and through specific training of the staff already on board.

121. It will be recalled that in order to enhance the human resources planning capability of the Organization, the General Assembly approved the establishment of a planning unit within OHRM.[80] It may also be reported that OHRM has recruited competent specialists planning human resources and career development. In the Inspectors view, this should allow OHRM to advance in designing a long-promised viable career development system for the United Nations staff. The Inspectors note, however, that some 40 posts have been cut recently in OHRM.

Notes

1. " The United Nations in its second half century". A report of the Independent Working Group on the Future of the Organization", New York, May 1995, p. 44.

2. D. Thornburgh. "Report to the Secretary-General of the United Nations" of 1 March 1993, (mimeo), p.11.

3. "Connor spells out what an ideal UN and staff would be". Secretariat News, July--August 1994, p.6.

4. "Advancement of the status of women in the United Nations Secretariat in the era of 'human resources management' and 'accountability': a new beginning?" (JIU/ REP/94/3, A/49/176), para. 56.

5. Recruitment and Retention in UN Common System Organizations. Paper by the CCAQ Secretariat. Doc. ACC/1994/PER/R.3 of 14 February 1994, p.11.

6. "Review of the efficiency of the administrative and financial functioning of the United Nations", General Assembly resolution 48/218 of 23 December 1993, part I. E, "Improvement of the Management of the United Nations"; para. 5 (b);.

7. Hangard, Daniel and Glesson, Brian. "Report on a career development system for the United Nations Secretariat" of May 1992 (mimeo), p. 4.

8. See "Report of the Group of high-level intergovernmental experts to review the efficiency of the administrative and financial functioning of the United Nations". Doc. A/41/49.

9. "Personnel questions", General Assembly resolution 47/226 of 8 April 1993, para.3.

10. "A strategy for the management of the human resources of the Organization". Report of the Secretary-General. Doc. A/C.5/49/5 of 21 October 1994.

11. Statement by Ambassador D. E. Birenbaum, US Alternate Representative to the 49-th session of the United Nations General Assembly, in the Fifth Committee, on agenda item 113 (Human Resources Management), November 23, 1994, p.2.

12. "Connor calls career service central to neutral Secretariat". Secretariat News, July-August 1994, p.6.

13. Inspection of the Application of United Nations recruitment, placement, and promotion policies., (JIU/REP/95/1, Part I, A/49/845 and Add.1).

14. General Assembly decision 49/476 of 31 March 1995. See "Resolutions and Decisions adopted by the General Assembly during its forty-ninth session". Volume II, 24 December 1994- 18 September 1995. General Assembly. Official Records. Supplement No 49 (A/49/49), p.41.

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17. Staff Regulations of the United Nations and Staff Rules 100.1 to 112.8. Secretary-General's bulletin (ST/SGB/Staff Rules/1/Rev.8) of 1 June 1995, p.32.

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20. Report of the International Civil Service Commission. General Assembly . Official records: thirty-ninth session. Supplement No 30 (A/39/30), para. 222, pp.55-56.

21. A/41/49, op. cit., Recommendation 51, p.21.

22. Doc. A/37/30, op. cit., para. 46, p.94.

23. A/39/30, op. cit., para. 222.

24. JIU/REP/95/1 (Part I), A/49/845, op. cit., para. 129, p.26

25. Progress Report of the Efficiency Board to the Secretary - General. United Nations. September 1996. Sales No. E. 96. I. 28, P.26.

26. Klee, Joseph (former chief of the UN Management Advisory Service). Thoughts on how to reform the United Nations personnel function. (mimeo). 31 March 1992.

27. "Procedures and norms for the creation, suspension, reclassification, conversion and redeployment of posts". Note of the Secretary-General. Doc. A/C.5/47/4 of 28 August 1992..

28. Report of the Committee for Programme and Coordination on the work of its thirty-second session. General Assembly. Official records. Forty-seventh session. Supplement No. 16. (A/47/16), para. 265, p.82.

29. A/C.5/49/5, op. cit., para. 88.

30. Rule 104.14(a)(i) provides that "An Appointment and Promotion Board shall be established by the Secretary-General to give advice on the appointment, promotion and review of staff in the General Service and Professional categories and on the appointment and review of staff at the Principal Officer level. The Secretary-General shall also establish appointment and promotion committees and such other subsidiary panels as may be necessary to assist the Appointment and Promotion Board in the performance of its functions". (Doc. ST/SGB/Staff Rules/1/Rev. 8, p. 38).

31. Staff Rules. Staff Regulations of the United Nations and Staff Rules 100.1 and to 112.8. Secretary-General's Bulletin. ST/SGB/Staff Rules/1/Rev. 7. New York 1990, p.39.

32. "The financial situation of the Organization". Secretary-General's bulletin. Doc. ST/SGB/222 of 22 December 1986.

33. "Vacancy management and staff redeployment". Secretary-General's bulletin. Doc. ST/SGB/221 of 22 December 1986.

34. Administrative Tribunal. Judgement No.537. Case No. 546: Upadhya against the Secretary-General of the United Nations Doc. AT/DEC/537 of 1 November 1991, para. XVI, p.15.

35. Placement and Promotion. Secretary-General's Bulletin ST/SGB/246 of 23 December 1991.

36. D. Thornburgh, op. cit.

37. "Placement and promotion". Secretary-General's bulletin. Doc. ST/SGB/267 of 15 November 1993.

38. ST/SGB/246 op. cit.

39. ST/SGB/267 op. cit.

40. Ibid.

41."Special measures to improve the status of women in the Secretariat". Administrative instruction. Doc. ST/AI/382 of 3 March 1993.

42. Information Circular, ST/IC/1993/66, op. cit., paras. 6 and 8.

43. "Placement and promotion", Bulletin, Ibid., "Placement and promotion", Administrative Instruction, ST/AI/390 of 15 November 1993, and "Placement and promotion", Information Circular, ST/IC/1993/66 of 2 December 1993.

44. Doc. ACC/1994/PER/R.3, op. cit., p.11.

45. ST/SGB/166 of 18 May 1978.

46. A/47/30, op. cit., para. 47, p.94.

47. "Personnel questions", General Assembly resolution 44/185 of 19 December 1989, part A, para .7.

48. "Personnel questions", General Assembly resolution 45/239 of 21 December 1990, para. 16.

49. A/C.5/47/6, op. cit., para. 3.

50. Ibid., para. 1.

51. "Human resources management policies". Report of the Secretary-General. Doc. A/49/445 of 29 September 1994.

52. Doc. A./C.5/49/5, op. cit., paras. 57-61.

53. Secretariat News, July–August 1994, op. cit., p.6.

54. See Proposed Medium-Term Plan for the Period 1998-2001. Programme 24. Administrative Services. Doc. A/51/6 (Prog.24) of 3 June 1996.

55. "Implementation of the strategy for the management of the Organization's human resources". Report of the Secretary - General. Doc. A/C.5/51 /1 of 16 August 1996, paras. 15 -21.

56. JIU/REP/94/3, op. cit., para. 58, p. 14.

57. Ibid., para. 56.

58. Doc. A/39/30, op. cit., para. 223, p. 57.

59. ST/SGB/Staff Rules/1/Rev.8, op. cit., Rule 112.2 (b), p.99.

60. "Human resources management", General Assembly resolution 49/222 of 23 December 1994, para.9.

61. "International Documents Review", vol.7, No.32, 16 September 1996, p.4.

62. Proposed programme budget for the biennium 1994-1995, Volume I. General Assembly. Official records. Forty-eighth Session, Supplement No. 6 (A/48/6/Rev.1), p. 39.

63. Placement and promotion. ST/AI/413 of 25 March 1996, para. 9, p.3.

64. Ibid.

65. "Policies to achieve gender equality in the United Nations." Secretary-General's bulletin. Doc. ST/SGB/282 of 5 January 1996.

66. Special measures for the achievement of gender equality. ST/AI/412 of 5 January 1996.

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70. A/C.5/49/5, op. cit., para. 8.

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76. A/C.5/49/5, op. cit., para.9.

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78. Doc. A/C.5/51/1, op. cit., paras. 68 - 70.

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80. Resolution 49/222, op. cit., part I, para. 2.